

HOUSE BILL No. 1719

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-14-2-1; IC 9-16-1; IC 9-18; IC 9-24; IC 9-29-5.

Synopsis: Driver and motor vehicle matters. Requires the commissioner of the bureau of motor vehicles (bureau) to administer the policies and procedures of the bureau and to submit budget proposals for the bureau to the budget director. Requires the bureau to contract with qualified persons to operate full and partial service license branches and requires the qualified persons to collect service charges and deposit them in the license branch fund. Allows a person to register certain vehicles for multiple years, with a 20% reduction in registration fees when paid early, and requires the bureau to adopt rules for this procedure. Repeals the political contribution paid at the time of an application or renewal for a personalized license plate and provides for a state fee and service charge to be paid at the time of application or renewal of a personalized license plate. Provides that certain driver's licenses under certain circumstances and the state identification card expire six years after issuance. (Current law provides that certain driver's licenses under certain circumstances and the state identification card expire four years after issuance.) Repeals the requirement that the bureau may not reduce the number of license branches in a county unless the bureau holds a public hearing on the proposed closing.

Effective: Upon passage; July 1, 2005.

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January 19, 2005, read first time and referred to Committee on Roads and Transportation.

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Introduced

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

HOUSE BILL No. 1719

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 9-14-2-1 IS AMENDED TO READ AS FOLLOWS
[EFFECTIVE JULY 1, 2005]: Sec. 1. The commissioner shall do the following:

(1) Administer and enforce:

(A) this title and other statutes concerning the bureau; **and**

~~(2) Administer and enforce~~

~~(B) the policies and procedures of the commission;~~ **bureau.**

~~(3) (2) Organize the bureau in the manner necessary to carry out the duties of the bureau.~~

~~(4) (3) Submit to the commission, before September 1 of each year budget proposals for the bureau including license branches staffed by employees of the commission under IC 9-16. to the budget director before September 1 of each year.~~

~~(5) (4) Perform other duties assigned by the commission; as required by the bureau.~~

SECTION 2. IC 9-16-1-4 IS AMENDED TO READ AS FOLLOWS
[EFFECTIVE JULY 1, 2005]: Sec. 4. (a) The commission ~~may~~ **shall**



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contract with a qualified person for:

(1) the operation of a full service license branch under this section; or

(2) ~~providing the provision of~~ partial services under section 4.5 of this chapter.

(b) A contract for the operation of a full service license branch must include the following: ~~provisions:~~

(1) The contractor shall provide a full service license branch, including the following services:

(A) Vehicle titles.

(B) Vehicle registration.

(C) Driver's licenses.

(D) Voter registration as provided in IC 3-7.

(2) The contractor shall provide trained personnel to properly process branch transactions.

(3) The contractor shall do the following:

(A) Collect and transmit all bureau fees and taxes collected at the license branch.

(B) Deposit the taxes collected at the license branch with the county treasurer in the manner prescribed by IC 6-3.5 or IC 6-6-5.

(4) The contractor shall generate a transaction volume sufficient to justify the installation of bureau support systems.

(5) The contractor shall provide fidelity bond coverage in an amount prescribed by the commission.

(6) The contractor may operate the license branch within a facility used for other purposes.

(7) The contractor shall pay the cost of any post audits conducted by the commission or the state board of accounts on an actual cost basis.

(8) The commission shall provide support systems and driver's license examiners on the same basis as state operated branches.

(9) The commission shall provide the same equipment to contractors as is provided to state operated branches.

(10) The commission must approve each location and physical facility based upon criteria developed by the commission.

(11) The term of the contract must be for a fixed period.

(12) The contractor shall agree to provide voter registration services and to perform the same duties imposed on the commission under IC 3-7.

SECTION 3. IC 9-16-1-4.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4.5. (a) The

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commission ~~may~~ **shall** contract with a qualified person to provide partial services at a qualified person's ~~walk-up~~ location, including locations within a facility used for other purposes, such as electronic titling and title application services and self-serve terminal access.

(b) A contract for providing motor vehicle registration and renewal services at a ~~walk-up~~ location must include the following provisions:

(1) The contractor must provide trained personnel to properly process motor vehicle registration and renewal transactions.

(2) The contractor shall do the following:

(A) Collect and transmit all bureau fees and taxes collected at the contract location.

(B) Deposit the taxes collected at the contract location with the county treasurer in the manner prescribed by IC 6-3.5 or IC 6-6-5.

(3) The contractor shall provide fidelity bond coverage in an amount prescribed by the commission.

(4) The contractor shall pay the cost of any post audits conducted by the commission or the state board of accounts on an actual cost basis.

(5) The commission must approve each location and physical facility used by a contractor.

(6) The term of the contract must be for a fixed period.

SECTION 4. IC 9-16-1-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 5. Each license branch, **full service provider, or partial services provider** shall collect the service charges prescribed by IC 9-29-3 and ~~deposited deposit them~~ in the state license branch fund established under IC 9-29-14.

SECTION 5. IC 9-18-2-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 7. (a) A person who owns a vehicle subject to registration shall register each vehicle owned by the person as follows:

(1) A vehicle subject to section 8 of this chapter shall be registered under section 8 **or 8.5 of this chapter**.

(2) A vehicle not subject to section 8 of this chapter or to the International Registration Plan shall be registered before:

(A) March 1 of each year; or

(B) an earlier date subsequent to January 1 of each year as set by the bureau.

(3) School buses owned by a school corporation are exempt from annual registration but are subject to registration under IC 20-9.1-4.

(4) Subject to subsection (f), a vehicle subject to the International

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Registration Plan shall be registered before April 1 of each year.

(b) Registrations and re-registrations under this section are for the calendar year. Registration and re-registration for school buses owned by a school corporation may be for more than a calendar year.

(c) License plates for a vehicle subject to this section may be displayed during:

(1) the calendar year for which the vehicle is registered; and

(2) the period of time:

(A) subsequent to the calendar year; and

(B) before the date that the vehicle must be re-registered.

(d) A person who owns or operates a vehicle may not operate or permit the operation of a vehicle that:

(1) is required to be registered under this chapter; and

(2) has expired license plates.

(e) If a vehicle that is required to be registered under this chapter has:

(1) been operated on the highways; and

(2) not been properly registered under this chapter;

the bureau shall, before the vehicle is re-registered, collect the registration fee that the owner of the vehicle would have paid if the vehicle had been properly registered.

(f) The department of state revenue may adopt rules under IC 4-22-2 to issue staggered registration to motor vehicles subject to the International Registration Plan.

SECTION 6. IC 9-18-2-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 8. (a) **Except for vehicles registered in accordance with section 8.5 of this chapter**, the bureau shall register vehicles under the schedule in this section.

(b) A person who owns a vehicle shall receive a license plate, renewal tag, or other indicia upon registration of the vehicle. The bureau may determine the device required to be displayed.

(c) A corporation shall register, before February 1 of each year, the following vehicles that are owned by the corporation:

(1) A passenger motor vehicle that is not regularly rented to others for not more than twenty-nine (29) days in the regular course of the corporation's business.

(2) A recreational vehicle.

(3) A motorcycle.

(4) A truck that:

(A) is not regularly rented to others for not more than twenty-nine (29) days in the regular course of the corporation's business; and

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- 1 (B) has a declared gross weight of not more than eleven
 2 thousand (11,000) pounds.
- 3 (d) A corporation that owns a:
- 4 (1) passenger motor vehicle; or
 5 (2) truck that has a declared gross weight of not more than eleven
 6 thousand (11,000) pounds;
- 7 that is regularly rented to others for periods of not more than
 8 twenty-nine (29) days in the regular course of the corporation's
 9 business must register the passenger motor vehicle or truck before
 10 March 1 of each year.
- 11 (e) A person who owns a:
- 12 (1) passenger motor vehicle;
 13 (2) recreational vehicle;
 14 (3) motorcycle; or
 15 (4) truck that has a declared gross weight of not more than eleven
 16 thousand (11,000) pounds;
- 17 that is not subject to the registration requirements under subsection (d)
 18 shall register the passenger motor vehicle, recreational vehicle,
 19 motorcycle, or truck in conformance with the schedule set forth in
 20 subsection (f).
- 21 (f) The following schedule applies to persons who own vehicles that
 22 are required to be registered under subsection (e):
- 23 (1) Persons whose last names begin with the letters A through BE
 24 shall register before February 16 of each year.
- 25 (2) Persons whose last names begin with the letters BF through
 26 BZ shall register before March 1 of each year.
- 27 (3) Persons whose last names begin with the letter C shall register
 28 before March 16 of each year.
- 29 (4) Persons whose last names begin with the letter D shall register
 30 before April 1 of each year.
- 31 (5) Persons whose last names begin with the letters E through F
 32 shall register before April 16 of each year.
- 33 (6) Persons whose last names begin with the letter G shall register
 34 before May 1 of each year.
- 35 (7) Persons whose last names begin with the letters HA through
 36 HN shall register before May 16 of each year.
- 37 (8) Persons whose last names begin with the letters HO through
 38 I shall register before June 1 of each year.
- 39 (9) Persons whose last names begin with the letters J through KM
 40 shall register before June 16 of each year.
- 41 (10) Persons whose last names begin with the letters KN through
 42 L shall register before July 1 of each year.

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(11) Persons whose last names begin with the letters MA through ME shall register before July 16 of each year.

(12) Persons whose last names begin with the letters MF through O shall register before August 1 of each year.

(13) Persons whose last names begin with the letters P through Q shall register before August 16 of each year.

(14) Persons whose last names begin with the letter R shall register before September 1 of each year.

(15) Persons whose last names begin with the letters SA through SN shall register before September 16 of each year.

(16) Persons whose last names begin with the letters SO through T shall register before October 1 of each year.

(17) Persons whose last names begin with the letters U through WK shall register before October 16 of each year.

(18) Persons whose last names begin with the letters WL through Z shall register before November 1 of each year.

(g) A person who owns a vehicle required to be registered under subsection (c), (d), or (e) and who desires to register the vehicle for the first time must apply to the bureau for a registration application form.

The bureau shall do the following:

(1) Administer the registration application form.

(2) Issue the license plate.

(3) Collect the proper registration and service fees in accordance with the procedure established by the bureau.

(h) The bureau shall issue a semipermanent plate under section 30 of this chapter, or:

(1) an annual renewal tag; or

(2) other indicia;

to be affixed on the semipermanent plate.

SECTION 7. IC 9-18-2-8.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 8.5. (a) Notwithstanding any other provision of this chapter, subject to IC 6-6-5-6(a), and after December 31, 2005, the bureau shall adopt a system of optional discounted multiyear registration for vehicles that are subject to registration under section 8 of this chapter.**

(b) Upon registration of a vehicle in accordance with this section, the person registering the vehicle shall receive a license plate, renewal tag, or other indicia of registration to indicate registration through the term for which the registration has been made.

(c) The fee for a multiyear registration under this section is

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determined in STEP FIVE of the following formula:

STEP ONE: Determine the appropriate annual registration fee for the vehicle under IC 9-29-5.

STEP TWO: Determine any fee due under IC 9-29-3.

STEP THREE: Determine the sum of the STEP ONE result and the STEP TWO result.

STEP FOUR: Multiply the result determined under STEP THREE by eighty percent (80%).

STEP FIVE: Multiply the STEP FOUR result by the number of years for which the vehicle will be registered.

(d) The bureau shall return the registration fee collected under IC 9-29-5 and any fee collected under IC 9-29-3 for a registration year upon surrender of the license plate, renewal tag, or other indicia of registration to indicate registration through the term for which the registration has been made, if the request for the return has been made before the beginning of the twelve (12) month registration year for which the request for return has been made.

(e) The bureau shall adopt rules under IC 4-22-2 to carry out this section.

SECTION 8. IC 9-18-15-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 10. (a) In addition to the applicable excise tax imposed under IC 6-6-5, the regular registration fees, and any additional fee required to receive a special recognition license plate described in section 1(b) of this chapter, a person applying for or renewing the registration of a personalized license plate shall pay ~~a~~ the personalized license plate fee ~~and contribution under IC 9-29-5-32.5~~ upon an original application or registration renewal, as provided in section 5 of this chapter.

(b) Each license branch shall collect the personalized license plate fee ~~and contribution~~ at the time of application or registration renewal for the personalized license plate.

(c) Upon the payment of the required fee ~~contribution~~, and service charges for an original application or renewal of a personalized license plate, the bureau shall issue a receipt designating and acknowledging a state fee ~~a political contribution~~, and the service charge under IC 9-29.

(d) The payment of regular registration fees and excise tax, if applicable, may be deferred until the time that the personalized license plate is delivered to the person who applied for the plate.

(e) A license branch shall collect the service charge prescribed under IC 9-29 for each initial or renewal application for a personalized license plate as a reservation and special processing fee.

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SECTION 9. IC 9-18-15-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 13. (a) Revenue derived from the fees ~~and contributions~~ **collected before July 1, 2005**, under section 10 of this chapter, except the part of the fee retained under section 10(e) of this chapter, shall be deposited with the treasurer of state in a special fund. The money from this fund remaining after the deduction provided for in subsection (d) shall be distributed monthly by the auditor of state in the following manner:

(1) To any political party that cast at least five percent (5%) but less than thirty-three percent (33%) of the total vote of the state of all political parties at the last general election for the office of governor, as certified to the secretary of state under IC 3-12-5-6, the auditor of state shall distribute an amount from the special fund equal to the fractional amount of the vote cast in the last general election for the office of governor. Distribution of money from this fund shall be made to the treasurer of the state central committee of the political party.

(2) The balance of the special fund remaining after distributions provided by subdivision (1) shall be distributed monthly by the auditor of state in equal amounts to the treasurers of the state central committees of the two (2) political parties that cast the highest and next highest number of votes statewide for governor in the last election.

(b) The bureau shall provide to:

- (1) the treasurers of the respective state central committees; and
- (2) the auditor of state by the twentieth day of each month for the purpose of making the distributions under subsection (a);

a report defining the number of personalized license plates sold in each county, including the total dollar amount due the treasurers, during the monthly period prescribed in subsection (a). In addition, the bureau shall provide to the treasurers information necessary to comply with IC 3-9.

(c) Within thirty (30) days of receipt of money distributed under subsection (a), the treasurers of the respective state committees shall distribute to the treasurers of each county central committee of their respective parties an amount equal to one-half (1/2) of the distributions provided for in subsection (a)(2) that were collected during the quarterly period in that county.

~~(d) The bureau shall deduct seven dollars (\$7) for each original application and renewal application for a personalized plate and deposit the money in the motor vehicle highway account.~~

(d) This section expires October 31, 2005.

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SECTION 10. IC 9-18-15-13.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 13.5. The bureau shall:**

(1) deduct thirty-seven dollars (\$37) of the fee collected for an initial or a renewal application for a personalized license plate; and

(2) deposit:

(A) seven dollars (\$7) of the fee described in subdivision (1) in the motor vehicle highway account established under IC 8-14-1; and

(B) thirty dollars (\$30) of the fee described in subdivision (1) as a service charge into the state license branch fund established by IC 9-29-14-1.

SECTION 11. IC 9-24-12-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. (a) Except as provided in subsection (b), an operator's license issued under this article after December 31, 1996, **and before January 1, 2006**, expires at midnight of the birthday of the holder that occurs four (4) years following the date of issuance.

(b) An operator's license issued after December 31, 1996, to an applicant who is at least seventy-five (75) years of age expires at midnight of the birthday of the holder that occurs three (3) years following the date of issuance.

(c) After December 31, 2005, except as provided in subsection (b), an operator's license issued under this article expires at midnight of the birthday of the holder that occurs six (6) years following the date of issuance.

SECTION 12. IC 9-24-12-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. **(a)** A chauffeur's license issued under this article after December 31, 1996, **and before January 1, 2006**, expires at midnight of the birthday of the holder that occurs four (4) years following the date of issuance.

(b) After December 31, 2005, a chauffeur's license issued under this article expires at midnight of the birthday of the holder that occurs six (6) years following the date of issuance.

SECTION 13. IC 9-24-12-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 7. (a) Except as provided in subsection (b), a motorcycle operator's license issued after December 31, 1996, **and before January 1, 2006**, expires at midnight of the birthday of the holder that occurs four (4) years following the date of issuance.

(b) A motorcycle operator's license issued after December 31, 1996,

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to an applicant who is at least seventy-five (75) years of age expires at midnight of the birthday of the holder that occurs three (3) years following the date of issuance.

(c) After December 31, 2005, except as provided in subsection (b), a motorcycle operator's license issued under this article expires at midnight of the birthday of the holder that occurs six (6) years following the date of issuance.

~~(c)~~ **(d)** A motorcycle operator endorsement remains in effect for the same term as the license being endorsed and is subject to renewal at and after the expiration of the license in accordance with this chapter.

~~(d)~~ **(e)** A temporary motorcycle learner's permit is valid for twelve (12) months from date of issuance.

SECTION 14. IC 9-24-16-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. An identification card **issued:**

(1) before January 1, 2006, expires on the fourth birthday of the applicant following the date of issue; **and**

(2) after December 31, 2005, expires at midnight of the birthday of the holder that occurs six (6) years following the date of issuance.

SECTION 15. IC 9-24-16-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 5. (a) An application for renewal of an identification card may be made not more than six (6) months before the expiration date of the card. A renewal application received after the date of expiration is considered to be a new application.

(b) A renewed card **issued:**

(1) before January 1, 2006, becomes valid on the birth date of the holder and remains valid for four (4) years; **and**

(2) after December 31, 2005, becomes valid on the birth date of the holder and remains valid for six (6) years.

(c) If renewal has not been made within six (6) months after expiration, the bureau shall destroy all records pertaining to the former cardholder.

(d) Renewal may not be granted if the cardholder was issued a driver's license subsequent to the last issuance of an identification card.

(e) An individual may apply for renewal of an identification card by mail or by electronic service if the following conditions are met:

(1) A valid computerized image of the individual exists within the records of the bureau.

(2) The previous renewal of the identification card was not made by mail or by electronic service.

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1 SECTION 16. IC 9-29-5-32.5 IS ADDED TO THE INDIANA
 2 CODE AS A NEW SECTION TO READ AS FOLLOWS
 3 [EFFECTIVE JULY 1, 2005]: **Sec. 32.5. The fee for a personalized**
 4 **license plate under IC 9-18-15 is as follows:**

5 (1) **The applicable excise tax imposed under IC 6-6-5.**

6 (2) **The regular vehicle registration fee imposed under this**
 7 **chapter.**

8 (3) **A state fee of seven dollars (\$7) for the motor vehicle**
 9 **highway account established under IC 8-14-1.**

10 (4) **A service charge of thirty dollars (\$30) for the state license**
 11 **branch fund established by IC 9-29-14-1.**

12 SECTION 17. THE FOLLOWING ARE REPEALED [EFFECTIVE
 13 JULY 1, 2005]: IC 9-16-1-2.5; IC 9-29-5-32.

14 SECTION 18. [EFFECTIVE UPON PASSAGE] (a)
 15 **Notwithstanding IC 9-18-2-8.5, as added by this act, the bureau of**
 16 **motor vehicles shall carry out the duties imposed upon it by**
 17 **IC 9-18-2-8.5 under interim written guidelines approved by the**
 18 **commissioner of motor vehicles.**

19 (b) **This SECTION expires on the earlier of the following:**

20 (1) **The date rules are adopted under IC 9-18-2-8.5.**

21 (2) **January 1, 2007.**

22 SECTION 19. **An emergency is declared for this act.**

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